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COUNSEL/PARTIES OF RECORD	
FEB - 5 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

Joseph Eugene Piovo  
1853 Indian Bend Drive  
Henderson, Nevada 89074  
702-897-2602  
viceroyuncci@gmail.com

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Joseph Eugene Piovo, Sui juris, Individually and  
as Beneficiary of Vice Roy United Nations Credit  
and Commerce International Blind Trust  
1853 Indian Bend Drive  
Henderson, Nevada 89074  
APN:178-17-911-009

Plaintiffs,  
vs.

**No. 2:13-CV-01922-APG-GWF**

ROBERT STONE;  
RONALD A. COLQUITT;  
MICHELLE WILSON;  
ANTONIETA TOVAR-GUZMAN;  
SHAUNA S. BRENNAN;  
CBSK FINANCIAL GROUP, INC.;  
CHICAGO TITLE;  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.; A/K/A MERS;  
MERSCORP HOLDINGS, INC.; A/K/A  
MERSCORP, INC.;  
U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, SUCCESSOR IN INTEREST TO  
BANK OF AMERICA, NATIONAL  
ASSOCIATION AS SUCCESSOR BY MERGER  
TO LASALLE BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
CERTIFICATEHOLDERS OF BEAR STERNS  
ASSET BACKED SECURITIES I LLC, ASSET  
BACKED CERTIFICATES, SERIES 2006-HE8;  
Does 1-100 inclusive;

Defendants.

**REQUEST TO ENTER DEFAULT  
AGAINST DEFENDANT CBSK  
FINANCIAL GROUP, INC.**

1 TO THE CLERK OF THE COURT:

2 Please enter Default against Defendant CBSK FINANCIAL GROUP, INC. (hereinafter "CBSK")  
3 as provided by Fed. R. Civ. P. 55(a) as it failed to plead or otherwise defend pursuant to Fed. R.  
4 Civ. P. 12(a)(1)(A)(i). In support of this request, please see affidavit/proof of service Doc 148.  
5

6 Declaration of Joseph Eugene Piovo, Pursuant to 28 U.S.C. § 1746.

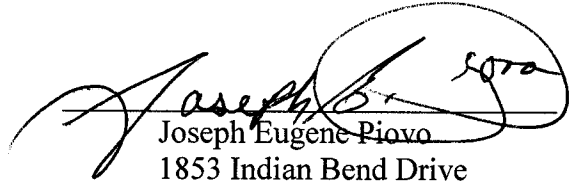
7 Comes now Joseph Eugene Piovo Plaintiff, and pursuant to 28 U.S.C. 1746 hereby declares as  
8 follows:

- 9 1. On December 30, 2014, the Court granted Plaintiff's Motion for Alternative Service of the  
10 Summons and Second Amended Complaint by mail to Defendant CBSK by serving the  
11 officers of CBSK Charles Brent McElwee and Cynthia McElwee, President and Secretary  
12 respectively. (Doc 147)  
13
- 14 2. On January 12, 2015, Plaintiff effected service by certified mail on said officers which  
15 were each personally served at their residence located at 33 Sarazen Lane, Trabuco  
16 Canyon, CA 92679-5007 with the Summons and Complaint. The return of service was  
17 filed with the court on January 13, 2015, Doc 148 Proof of Service.  
18
- 19 3. United States Post Office shows signed delivery of the summons and Second Amended  
20 Complaint to both Charles Brent McElwee and Cynthia McElwee on January 16, 2015.  
21
- 22 4. Defendant's officers acknowledged the receipt of service by sending a letter to Plaintiff,  
23 the letter is attached herewith as Exhibit A.
- 24 5. Under Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant was required to serve an answer or  
25 otherwise plead by February 2, 2015 and failed to do so.  
26
- 27 6. Rule 55(a) provides as follows:  
28 (a) Entering a Default.

1 "When a party against whom a judgment for affirmative relief is sought has failed  
2 to plead or otherwise defend, and that failure is shown by affidavit or otherwise,  
3 the clerk must enter the party's default."

4 I declare under penalty of perjury that the foregoing is true and correct.

5  
6 Dated: February 6, 2015

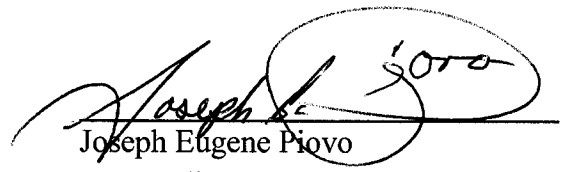
7   
8 Joseph Eugene Piovo  
9 1853 Indian Bend Drive  
10 Henderson, Nevada 89074  
11 702-897-2602  
12 viceroyuncci@gmail.com

13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on the 6th day of February, 2015, I have caused to be mailed via Regular Mail  
15 by United States Postal Service the foregoing Request to Enter Default to the following  
16 participants at the addresses listed below:

17 Ronald A. Colquitt  
18 321 S. Casino Center Blvd., #112  
19 Las Vegas NV 89101  
20 February 6, 2015

21 February 6, 2015

22   
23 Joseph Eugene Piovo  
24 1853 Indian Bend Drive  
25 Henderson, Nevada 89074  
26 702-897-2602  
27 viceroyuncci@gmail.com  
28

1/19/2015

Joseph Eugene Piovo,

Charles McElwee is in receipt of your lawsuit. I regret to inform you that CBSK Financial Group Inc. dba American Home Loans is a closed company and all records were destroyed/shredded. Furthermore neither Cynthia McElwee nor Charles McElwee have any knowledge of this or any loan transactions, as we were corporate officers and not involved with the individual loans or individual loan transactions. I am sorry that We cannot answer any questions regarding any loans.

Charles McElwee and Cynthia McElwee filed for personal Bankruptcy protection under Chapter 7 and it was Discharged on February 9, 2012 reliving them of all lawsuits and liabilities. Attached is a copy of the discharged Bankruptcy chapter 7.



**Exhibit A**

Case 8:11-bk-24817-RK Doc 22 Filed 02/09/12 Entered 02/09/12 14:58:42 Desc  
Discharge of Debtor (Ch 7) Page 1 of 2

B18 (Official Form 18)(12/11)

**United States Bankruptcy Court  
Central District Of California**

411 West Fourth Street, Suite 2030, Santa Ana, CA 92701-4593

**DISCHARGE OF DEBTOR**

**DEBTOR INFORMATION:**

Charles Brent McElwee  
aka Brent McElwee

**BANKRUPTCY NO.** 8:11-bk-24817-RK

**CHAPTER** 7

**Last four digits of Social-Security or Individual Taxpayer-Identification (ITIN) No(s), (if any):** xxx-xx-9577  
**Employer Tax-Identification (EIN) No(s), (if any):** N/A  
**Debtor Discharge Date:** 2/9/12

**JOINT DEBTOR INFORMATION:**

Cynthia Rose McElwee  
aka Cyndi McElwee

**Last four digits of Social-Security or Individual Taxpayer-Identification (ITIN) No(s), (if any):** xxx-xx-0189  
**Employer Tax-Identification (EIN) No(s), (if any):** N/A  
**Joint Debtor Discharge Date:** 2/9/12

**Address:**

26121 Calle Roberto  
San Juan Capistrano, CA 92675

It appearing that the debtor is entitled to a discharge, IT IS ORDERED: The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code). SEE THE BACK OF THIS ORDER FOR EXCEPTIONS AND OTHER IMPORTANT INFORMATION.

BY THE COURT,

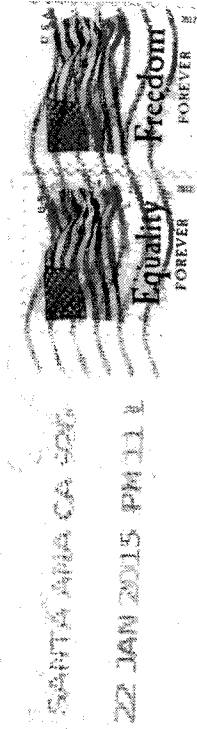
Dated: February 9, 2012

Kathleen J. Campbell  
Clerk of the Court

*\* Set forth all names, including trade names, used by the debtor(s) within the last 8 years. For joint debtors, set forth the last four digits of both social-security numbers or individual taxpayer-identification numbers.*

**Exhibit A**

Charles Brent McElwee, President  
CBSK FINANCIAL GROUP, INC.  
33 Sarazen Lane,  
Trabuco Canyon, CA 92679-5007



Joseph Eugene Piovo  
1853 Indian Bend Drive  
Henderson, Nevada 89074

**Exhibit A**

99074109253